IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 709 of 2007()

CRIME NO.589/06 OF VALAPATTANAM POLICE STATION.

: PETITIONER/ACCUSED:

JAGADEESH K.K., AGED 30 YEARS,
S/O.LATE A.K. RAMACHANDRAN NAMBIAR,
RAMALAYAM, P.O. EDAYANNUR,
KOLOLAM, KANNUR DISTRICT.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENT/COMPLAINANT:

S.H..O. VALAPATTANAM POLICE STATION,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.709 OF 2007

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DATED THIS THE 7th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 5th acused in Crime No..589/06 of Valapattanam Police Station for offences punishable under sections 498B and 489C IPC, seeks his enlargement on bail. He was arrested on 6.12.2006 with five counterfeit notes of 100 rupee denomination from his purse inside a Tata Sumo vehicle.

2. Even though the learned Public Prosecutor opposed the application, he fairly conceded that final report has not been laid even after 60 days of detention of the petitioner. If so, the petitioner is entitled to bail as of right by virtue of the proviso to section 167(2) Cr.P.C. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.20,000/- (Rupees Twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Kannur and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn